

AGENDA

COMMITTEE ON BILLS ON SECOND READING

June 01, 2021

**Aldermen Gamache, O'Neil,
Sapienza, Sharonov, Stewart**

5:15 p.m.

**Aldermanic Chambers
City Hall (3rd Floor)**

1. Chairman Gamache calls the meeting to order.
2. Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Committee is authorized to meet electronically.

You will be able to view and hear the meeting on Manchester Public TV, either on Channel 22 or on MPTV's website. To dial in to the meeting using your phone, call +1 (408) 650-3123 and enter access code: 990-030-469 when prompted.

3. The Clerk calls the roll.
4. Ordinance amendment:

“Amending Chapter 32: Boards, Commissions and Departments of the Code of Ordinances of the City of Manchester by adding Section 32.130 to establish a Housing Commission.”

If the Committee so desires, a motion would be in order that the ordinance amendment ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration.

5. Ordinance amendment:

“Amending Chapter 39: Procurement Code of the City of Manchester by adding a new item under §39.05 (C) to include language regarding inclusion.”

If the Committee so desires, a motion would be in order that the ordinance amendment ought to pass and be referred to the Committee on Accounts,

Enrollment and Revenue Administration.

6. If there is no further business, a motion is order to adjourn.

City of Manchester New Hampshire

In the year Two Thousand and Twenty-One

AN ORDINANCE

“Amending Chapter 32: Boards, Commissions and Departments of the Code of Ordinances of the City of Manchester by adding Section 32.130 to establish a Housing Commission.”

Be it Ordained, by the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances by adding the following language.

HOUSING COMMISSION

32.130 ESTABLISHED.

A Housing Commission for the city is hereby established pursuant to RSA 674-44:h.

32.131 PURPOSE.

The establishment of the Housing Commission shall be for the stated purpose of recognizing, promoting, enhancing, encouraging, and developing a balanced and diverse supply of housing to meet the economic, social, and physical needs of the City of Manchester and its residents.

32.132 COMPOSITION; TERMS.

The Commission shall consist of five members, all residents of the city and all appointed by the Mayor, subject to the approval of the Board of Mayor and Aldermen. In addition, the Mayor, subject to the approval of the Board of Mayor and Aldermen, may appoint two alternate members to the Commission, who shall be residents of the city and who shall have full voting powers when designated by the Chairperson to act in the place of an absent or disqualified member. Appointments of respective successors and of alternate members, both original and successor, shall be for three-year terms. The second term Chairperson shall be selected by the members from one of their number. Any member or alternate member of the Commission so appointed may, after a public hearing if requested, be removed for cause pursuant to the City Charter. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

32.133 POWERS AND DUTIES.

The Housing Commission shall have authority to:

(A) Conduct a housing needs assessment, which may be done in cooperation with the regional housing needs assessment compiled by the regional planning commission under RSA 36:47, II.

(B) Conduct activities to recognize, promote, enhance, and encourage the development of housing, particularly affordable and workforce housing.

(C) Assist the planning board, as requested, in the development and review of those sections of the master plan which address housing, and those sections of the zoning ordinance, subdivision regulations, and site plan regulations that address housing or otherwise have the potential to affect the cost or availability of housing.

City of Manchester *New Hampshire*

In the year Two Thousand and Twenty-One

AN ORDINANCE

“Amending Chapter 32: Boards, Commissions and Departments of the Code of Ordinances of the City of Manchester by adding Section 32.130 to establish a Housing Commission.”

Be it Ordained, by the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (D) Advise, upon request, local agencies and other local boards in their review of requests on matters affecting or potentially affecting housing resources.
- (E) Coordinate activities with appropriate service organizations and nonprofit groups.
- (F) Publicize and report its activities.
- (G) Hire consultants and contractors.
- (H) Subject to the approval of the Board of Mayor and Aldermen, receive gifts of money and property, both real and personal, in the name of the City, to assist in carrying out the purpose of this section.
- (I) Hold meetings and hearings necessary to carry out its duties.

The Commission shall adopt bylaws and shall keep accurate records of its meetings and actions and shall file an annual report with the Board of Mayor and Aldermen which shall be in the annual city report.

The Housing Commission may make recommendations to the Board of Mayor and Aldermen for the acquisition of real property, in the name of the city by gift, purchase, grant, bequest, devise, lease, development rights, covenant, or other contractual right, including conveyances with conditions, limitations, or reversions, as may be necessary to maintain, improve, protect, limit the future use of, or otherwise conserve and properly use the affordable housing of the City, and shall manage and control the same; provided, however, that the City or Housing Commission shall not have the right to condemn property for these purposes. The Housing Commission may make recommendations to the Board of Mayor and Aldermen for the disposal of property so acquired. Prior to the recommendation of use of funds for the purchase of any interest in real property, the Housing Commission shall hold a public hearing with notice in accordance with RSA 675:7.

31.134 HOUSING COMMISSION FUND

The Board of Mayor and Aldermen may appropriate money to the Housing Commission as necessary to carry out its purposes. The whole or any part of money so appropriated in any year and any gifts of money or property received under 31.133 I(H) shall be placed in a Housing Commission Fund and allowed to accumulate from year to year. The Housing Commission Fund shall remain separate from all other City funds, including the Affordable Housing Trust, which is administered by the Community Improvement Program.

The Finance Director shall have custody of all moneys in the Housing Commission Fund and shall pay out the same only upon order of the Housing Commission. The disbursement of these funds shall be authorized by a majority of the Housing Commission.

II. This ordinance shall take effect upon its passage.

City of Manchester *New Hampshire*

In the year Two Thousand and Twenty-One

AN ORDINANCE

“Amending Chapter 39: Procurement Code of the City of Manchester by adding a new item under §39.05 (C) to include language regarding inclusion.”

Be it Ordained, by the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances by inserting new language as bolded (**bold**). Portions of the following sections that remain unchanged appear to be regular type.

§ 39.05 GENERAL PROCUREMENT AND AWARD PROVISIONS.

(C) Awards. Contracts for the procurement of supplies, materials and construction shall be awarded to the lowest responsible bidder unless otherwise provided for in the bidding documents or in the procurement code. The basis of award shall always be defined in the bidding documents. Among other factors that may be considered in determining lowest responsible bidders are the following:

- (1) Capability. The ability and skill of the bidder to perform the contract.
- (2) Timeliness. Whether the bidder can perform the contract or furnish the supplies promptly, in accordance with plans and specifications, or within the time specified, without delay or interference.
- (3) Previous performance. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
- (4) Quality. The quality of supplies or performance on previous purchases or contracts, including known quality based on previous use, and the quality, availability and adaptability of the suppliers or contractual services to the particular use.
- (5) Legal compliance. Previous and existing compliance by the bidder with laws and ordinances relating to the contract.
- (6) Conditions. The number and scope of conditions attached to the bid by the bidder.
- (7) **Inclusion. The company has a non-discrimination policy that expressly covers, but is not limited to, race, ethnicity, color, gender, age, national origin, religion, marital status, sexual orientation, gender identity, results of genetic testing, physical or mental disability or veteran status.**

II. This ordinance shall take effect upon passage.